

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TERRA NOVO, INC., a California
corporation

Plaintiff

vs.

GOLDEN GATE PRODUCTS, INC., a
California corporation; and DOES 1 through
10, inclusive

Defendants

AND RELATED COUNTERCLAIMS

Case No. C 03 2684 MMC

**~~[PROPOSED]~~ ORDER AND
DEFAULT JUDGMENT AGAINST
DEFENDANT GOLDEN GATE
PRODUCTS, INC.**

~~Date: January 13, 2012~~

~~Time: 10:30 a.m.~~


Ctrm: 7

The Court having considered Plaintiff Terra Novo, Inc.’s (“Terra Novo”) Motion for Default Judgment and Permanent Injunction, Memorandum in Support of its Motion for Default Judgment and Permanent Injunction, the Default entered by the Clerk and filed herein, the Summons, Complaint for Patent Infringement, and all other relevant papers and pleadings on file with the Court in connection with this matter, and no opposition having been filed, judgment pursuant to Rule 55(b) of the Federal Rules of Civil Procedure is entered against Defendant Golden Gate Products,

1 Inc. as follows:

- 2 A. Defendant Golden Gate Products, Inc. and each of its agents and/or
3 representatives, directly and indirectly, are permanently enjoined and
4 restrained from committing any further acts of patent infringement of
5 Plaintiff's United States Patent Number 6,562,882, including any further
6 acts of contributory infringement or inducement to infringe United States
7 Patent No. 6,562,882; specifically, defendants are permanently enjoined
8 and restrained from making, selling, using, offering for sale, or
9 importing into the United States copolymers of sodium acrylate and
10 Polyacrylamide for mixture with water and organic materials for
11 subsequent application to soil sold under the designation Terra Lock 50.
- 12 B. Terra Novo's United States Patent Number 6,562,882 is deemed valid
13 and enforceable.
- 14 C. Defendant is liable to Terra Novo for the willful infringement under 35
15 U.S.C. §284 resulting from its past sale of compositions, namely,
16 copolymers of sodium acrylate and Polyacrylamide for mixture with
17 water and organic materials for subsequent application to soil sold under
18 the designation Terra Lock 50.
- 19 D. Pursuant to 35 U.S.C. §§ 284 and 285, Terra Novo is awarded damages
20 in the amount of \$2,457,397.00 for its lost profits, price erosion, lost
21 reasonable royalty, and prejudgment interest, as allowed in connection
22 with Defendant's Chapter 7 bankruptcy proceedings.

23
24 Dated: November 15, 2011


Makine M. Chesney
United States District Court Judge